

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

SUAN D. KENDRICK,

Plaintiff,

Case No. 24-cv-1669-pp

v.

LOUIS DEJOY, US POSTAL SERVICE,
LINDA NARANJO, KEVIN GOODMAN,
PRISELLA PARAISO-HALL, and
NATIONAL AGENCY CHECK WITH INQUIRIES,

Defendants.

**ORDER GRANTING PLAINTIFF'S MOTION TO STAY AND CLOSING CASE
FOR ADMINISTRATIVE PURPOSES**

On December 27, 2024, the plaintiff, who is representing himself, filed this (second) complaint alleging the U.S. Postal Service and its employees subjected him to discrimination and retaliation by allegedly rescinding his job offer. Dkt. No. 1; See also Kendrick v. Brennan, Case No. 20-cv-1884 (E.D. Wis.). That same day, the plaintiff filed a motion to stay the case until he received an “outcome in EEOC No. 440-2024-00303x.” Dkt. No. 2. The plaintiff paid the \$405 filing fee.

Before bringing a Title VII claim, a plaintiff first must exhaust his administrative remedies by filing charges with the EEOC and receiving a right-to-sue letter. Chaidez v. Ford Motor Co., 937 F.3d 998, 1004 (7th Cir. 2019) (citing Rush v. McDonald's Corp., 966 F.2d 1104, 1110 (7th Cir. 1992)).

Receiving a right-to-sue letter is not a jurisdictional prerequisite to a Title VII

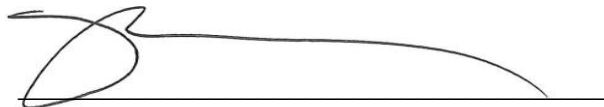
suit; it is “a defense to a Title VII claim.” Bell v. DeJoy, Case No. 24-1478, 2024 WL 4948846, *3 (7th Cir. Dec. 3, 2024) (quoting Worth v. Tyer, 276 F.3d 249, 259 (7th Cir. 2001)). Because the defendants have not asserted this defense and have yet to appear in the case (due to the fact that the court has not yet screened the complaint or ordered the defendants to respond), the court will grant the plaintiff’s motion to stay his premature filing rather than dismissing the case.

The court **GRANTS** the plaintiff’s motion to stay. Dkt. No. 2.

The court **ORDERS** that this case is **ADMINISTRATIVELY CLOSED**. The plaintiff may file a motion to reopen within ninety days of receiving a right-to-sue letter, and thus preserve his filing date.

Dated in Milwaukee, Wisconsin this 9th day of January, 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge